



## New Jersey Department of Children and Families Policy Manual

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Subchapter:	1	Administration	Revised Effective Date:
Issuance:	018-2008	<b>Smoking Policy for Department of Children and Families</b>	11-18-2014

### **I. PURPOSE:**

The purpose of this policy is to protect our staff, clients, students and all visitors to Department of Children and Families (DCF) facilities or buildings, from the health and safety hazards of smoke from cigars, cigarettes, e-cigarettes and pipes, as well as to comply with New Jersey law. This policy also includes the prohibition of smoking in all State vehicles.

### **II. SCOPE:**

This Policy has Department-wide applicability.

### **III. AUTHORITY:**

N.J.S.A. 26:3D-55, et seq. New Jersey Smoke-Free Air Act

N.J.A.C. 8:6-1.1, et seq. Smoke Free Air

N.J.A.C. 8:6-7.2, 9.1 Smoking prohibited in school buildings and on school grounds

N.J.S.A. 2A:170-51.4 Sale, distribution of tobacco, electronic smoking device to persons under age 19; prohibited; civil penalties

### **IV. DEFINITIONS:**

The following terms when used in this Policy, have the meaning indicated:

Department of Children and Families Building means a building or portion of a building owned or leased by the DCF and staffed by Department employees, including DCF operated schools.

E-cigarettes means any electronic smoking device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe, or any cartridge or other component of the device or related product.

Smoking means the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, or pipe or any other matter or substance which contains tobacco, or any other matter or substance that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device. This includes the use of vapor producing e-cigarettes or any other electronic smoking device.

## **V. POLICY**

- A. All employees, family members, visitors, students and others are prohibited from smoking anywhere within any DCF office or building, or on the grounds of any DCF operated school.
- B. Employees are prohibited from the use of marijuana at work. Employees are prohibited from using e-cigarettes to smoke marijuana or any illegal drugs. Any employee found violating this prohibition shall face discipline, up to and including termination, in addition to potential criminal prosecution.
- C. The prohibitions contained in this policy extend to the use by DCF employees and clients of State vehicles. All persons are prohibited from smoking at any time in a State vehicle. This applies to the driver of the vehicle and all passengers.

## **VI. PROCEDURES**

- A. Supervisors shall be responsible for monitoring and enforcing their employees' compliance with this DCF smoking policy.
- B. Employees violating this policy and its procedures shall be subject to disciplinary action, up to and including termination.
- C. Persons found to be in violation of the NJ Smoke-Free Air Act are subject to fines and penalties established by the Act of \$250 for a first offense, \$500 for a second offense and \$1000 for each subsequent offense.

<p><b>Note: This is a reproduction of a signed document. The original document is on file with the DCF Office Administration and Management.</b></p>
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